

RESOLUTION NO. A-_____

PRE-EXISTING SPECIAL PERMIT NO. 29A

1 WHEREAS, Duane Hartman Investments, Inc. has submitted an application
2 designated as Pre-Existing Special Permit No. 29A for authority to sell alcoholic beverages
3 for consumption off the premises at 640 West Prospector Court, legally described as:

4 Lots 179 and 218, Irregular Tracts, located in Section 34,
5 Township 10 North, Range 6 East of the 6th P.M., Lancaster
6 County, Nebraska; and

7 WHEREAS, the real property adjacent to the area included within the site plan
8 for this permit to sell alcoholic beverages for consumption off the premises will not be
9 adversely affected; and

10 WHEREAS, said site plan together with the terms and conditions hereinafter
11 set forth are consistent with the intent and purpose of Title 27 of the Lincoln Municipal Code
12 to promote the public health, safety, and general welfare.

13 NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of
14 Lincoln, Nebraska:

15 That the application of Duane Hartman Investments, Inc. hereinafter referred
16 to as "Permittee", to sell alcoholic beverages for consumption off the premises on property
17 legally described above be and the same is hereby granted under the provisions of Section
18 27.63.685 of the Lincoln Municipal Code upon condition that operation of said licensed
19 premises be in strict compliance with said application, the site plan, and the following
20 additional express terms, conditions, and requirements:

21 1. This permit approves the expansion of the sale of alcohol for

1 consumption off the premises to include the sports bar and grill as delineated on the site
2 plan.

3 2. Before receiving building permits:

4 a. The Permittee must submit a reproducible final plan with five
5 copies.

6 b. The construction plans must conform with the approved plans.

7 3. The site plan accompanying this permit shall be the basis for all
8 interpretations of setbacks, yards, location of parking and circulation elements, and similar
9 matters.

10 4. The terms, conditions, and requirements of this resolution shall be
11 binding and obligatory upon the Permittee, his successors, and assigns. The building
12 official shall report violations to the City Council which may revoke the special permit or take
13 such other action as may be necessary to gain compliance.

14 5. The Permittee shall sign and return the City's letter of acceptance to
15 the City Clerk within 30 days following approval of the special permit, provided, however,
16 said 30-day period may be extended up to six months by administrative amendment. The
17 City Clerk shall file a copy of the resolution approving the special permit and the letter of
18 acceptance with the Register of Deeds, filing fees therefor to be paid in advance by the
19 Permittee.

20 6. The applicant shall sign and return the letter of acceptance to the City
21 Clerk within 30 days following the approval of the special permit, provided however, said 30-
22 day period may be extended by to six months by administrative amendment. The clerk shall
23 file a copy of the resolution approving the special permit and the letter of acceptance with
24 the Register of Deeds, filing fees therefor to be paid in advanced by the applicant.

1 7. The site plan as approved with this resolution voids and supersedes
2 all previously approved site plans, however, all resolutions approving previous permits
3 remain in force unless specifically amended by this resolution.

Introduced by:

Approved as to Form & Legality:

City Attorney

Approved this ____ day of _____, 2003:

Mayor